

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: Exide Technologies, <i>et al.</i>)	Bankr. Case No. 02-11125 (KJC)
)	
EnerSys Delaware, Inc.,)	
Appellant,)	Civil Action No. 06-302 (SLR)
)	
v.)	
)	
Exide Technologies,)	Related to Docket Nos. 12 and 17
Appellee.)	
)	

**OPENING BRIEF OF APPELLANT
ENERSYS DELAWARE, INC. f/k/a ENERSYS, INC.**

**CONFIDENTIAL – FILED UNDER SEAL
SUBJECT TO PROTECTIVE ORDER**

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Dated: September 21, 2006

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CERTIFICATE OF SERVICE

I, Thomas G. Whalen, Jr., hereby certify that on September 21, 2006, a true and correct copy of the foregoing Opening Brief of Appellant EnerSys Delaware, Inc. f/k/a EnerSys, Inc. was served on counsel for Appellee and other interested parties as follows:

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